

MINUTES
Crested Butte Town Council
Regular Meeting
Crested Butte Town Hall
Tuesday, October 4, 2005

Mayor James Schmidt called the meeting to order at 7:03 p.m. Council members present: Margot Levy, Ron Chlipala, Bill Coburn, Michael Helland, and Alan Bernholtz. Absent: Skip Berkshire. Staff present: Town Manager Frank Bell, Town Attorney Laura Magner, Town Clerk Eileen Hughes, Town Planner John Hess, Finance

Director Lois Rozman, Building Official Bob Gillie (for part of meeting) and Chief Marshal Tom Martin (for part of meeting).

Schmidt noted the Planning Commission held a meeting at 6 p.m. for continuation of a public hearing on the draft Crested Butte Area Plan and following that council and staff discussed the proposed 2006 Budget during work session.

Approval of the minutes of the September 19, 2005 regular council meeting.

Bernholtz moved and Chlipala seconded to approve the minutes. Roll call vote taken with all voting yes. **Motion passed unanimously.**

1. PUBLIC COMMENTS

Crested Butte Center for the Arts director Pat Crow reported that the arts subcommittee for Crested Butte Arts and Recreation (CBAR) planning recently held an organizational meeting. Crow defined the subcommittee's goal as: finding the best location for arts facilities and to develop informed consent among community members about the location. Crow explained that notes will be taken during the meetings. Several council members requested copies of the meeting notes.

Crested Butte resident Glo Cunningham said she was unhappy with earlier CBAR planning efforts and now she is a member of the arts subcommittee and believes the subcommittee process will help with community buy-in regarding arts facilities.

Other subcommittee members Kathy Joyce, Tony Borland and Haden Spencer also spoke in support of the arts subcommittee process.

Subcommittee members asked council for a clarification of their goals. After considerable discussion, Council agreed that the subcommittee should continue to meet and to work on finding the best site for a Performing Arts Center and to work on developing informed consent in the community regarding the location of arts facilities. Council also agreed the subcommittee should come back and report to the council when they are ready (no timeline was designated).

Crested Butte resident Robert Warren pointed out a letter he distributed to the council concerning the possible effects of an anticipated short supply of natural gas this winter. Council indicated that it was appropriate to ask Atmos Energy to respond to the questions raised by Warren. Bell will contact Atmos Energy.

Crested Butte resident and council candidate Billy Rankin asked council to consider providing funds in the 2006 Budget to hire a company to conduct energy audits of buildings owned by the Town. Council generally indicated support for conducting energy audits of Town buildings. Bell explained that funding did not necessarily need to be a line item in the budget and the cost could be included in the Town's building maintenance fund.

2. COUNCIL COMMENTS

Levy:

- Asked staff to post a notice that several council members will be attending the Solar Fair sponsored by the Office of Resource Efficiency (ORE). Also noted that an energy code workshop sponsored by ORE for builders designers and architects will be held on October 19, 2005.
- She attended the High County Citizens Alliance (HCCA) Sustainable Communities Symposium.

Schmidt:

- Reported that he and Bell recently met with US. Forest Service Supervisor Charlie Richmond and discussed items that were recently discussed with Richmond's staff at a council work session. Some of the items discussed included: Access to Baxter Gulch, winter motorized and non-motorized user conflicts in Washington Gulch, dispersed camping and need for outhouses, the proposed expansion of the ski area onto Snodgrass Mountain and summer traffic concerns in the Gothic corridor.

3. PUBLIC HEARINGS -None

4. NEW BUSINESS

A) Presentation by Gunnison County Sheriff Rick Murdie and the Board of County Commissioners Regarding Bond Issue for Construction of New County Jail.

Murdie gave a power point presentation regarding the need for a new Gunnison County Detention Facility. Murdie gave a history of the current facility. He discussed the overcrowded conditions at the current facility, as well as security and liability concerns of the current facility.

Gunnison County Commissioner Jim Starr characterized the need for a new detention center as a health and safety issue. He also said if the County does not construct a new facility there could be a lawsuit and in that case the federal government could mandate the type of facility the County would have to build. Town of Crested Butte Chief Marshal Tom Martin and Mt. Crested Butte Chief of Police Hank Smith also spoke in support of a new detention center.

B) Resolution No. 9, Series 2005-A Resolution Supporting the 2005 Gunnison County Ballot Issue 1A, the New Detention Facility in Gunnison County.

Chlipala moved and Bernholtz seconded to approve Resolution No. 9. Roll call vote taken with all voting yes. **Motion passed unanimously.**

C) Approval of Crested Butte Area Plan. This item was postponed (at Planning Commission meeting prior to the Council meeting the Planning Commission continued the public hearing on the document).

D) Report and Recommendations from the Crested Butte Arts and Recreation (CBAR) Subcommittee on a Possible Building Envelope for Proposed Ice Rink.

Subcommittee member Bill Coburn explained the proposed facility is more than an ice rink and the facility can also include s additional facilities such as a Nordic Center and Senior Center. Coburn showed the council a map of the area and the committee's recommended location for the proposed facility on the Town Ranch near the Crested Butte Community School. Council also discussed the possibility of realigning Tommy Villanueva field (the realignment would allow the track to be expanded to the south). Additionally, Council discussed what type of dugouts could be installed at Tommy V. field. Several council members indicated support for moveable dugouts to allow for the realignment of Tommy V. field in the future.

Local resident Michael Villanueva voiced support for improvements at the Tommy V. field and for nicer dugouts.

Council agreed to consider a resolution at the October 17, 2005 council meeting regarding the designation of a building envelope for an indoor ice rink and recreation facility. Council agreed the resolution should not address Tommy V. field.

E) Ordinance No. 14, Series 2005-An Ordinance Clarifying the Business Organization, Reorganization or Restructuring Exemption from Imposition of the Town's Land Transfer Excise Tax.

Magner explained that in some cases, interests in real property in the Town are being conveyed other than by deed, for example, by conveyance of ownership interests from one limited liability company to another, in an attempt to avoid the real estate transfer tax (RETT). She explained that under current code and with revisions proposed in Ordinance No. 14 such conveyances are subject to the RETT.

Manger recommended and Council agreed to direct staff to attempt to identify all such properties by researching real property records in Gunnison County.

Levy moved and Bernholtz seconded to set Ordinance No. 14 for public hearing on November 7, 2005.

6. **LEGAL MATTERS/TOWN ATTORNEY**

Magner updated the council on the Mt. Emmons lawsuit. Additionally, she noted that she is attending the upcoming Colorado Municipal League Attorneys Conference. Magner also noted that she is a member of the Board of Directors of the Center for the Arts and for the record has no financial interest in the Center for the Arts.

7. STAFF REPORTS

Hess:

- Noted his memo in the packet (dated September 30, 2005) regarding encroachment in a restrictive inner buffer from a water body at the Skyland River Neighborhood. Council directed Hess to write a letter to the Gunnison County Planning Commission encouraging the county to maintain the 25 foot setback from wetlands in the Skyland River Neighborhood.
- Noted that the Board of County Commissioners (BOCC) will hold a public hearing on the proposed Whetstone Business Park on November 8, 2005. Council briefly discussed the Whetstone Business Park and Chlipala provided Magner with emails he received regarding Whetstone Business Park.
- Reported that the Gunnison County Housing Authority is holding a symposium on October 29 and asked if the council wanted to contribute \$2,000 to help subsidize the event and keep participation fees down. Council agreed they did not want to contribute to the event because Hess and Coburn indicated that the event was targeted for realtors and builders.

8. COUNCIL REPORTS AND COMMITTEE UPDATES

Schmidt:

- Noted the latest sales tax report included in council packets.

Chlipala:

- Noted that Mountain Express Transit director Scott Truex resigned his position effective December 1, 2005 and the board is advertising the position.
- Explained the Mt. Express board considered an experimental (10 week) bus program (summer 2006) for either a circulator bus around the perimeter of town or a dial-a-ride program and decided on a dial-a-ride program, which will cost approximately the same as a circulator bus. Council discussed the topic and said a shuttle bus to Crested Butte South might be a more beneficial program. Council requested Mt. Express to consider a shuttle to CB South for the experimental program.
- Reported that Tyler Martineau is the chairman of the Crested Butte Community School accountability committee. Also there are ten additional students at the Crested Butte Community School who were displaced by hurricane Katrina. And a committee has been formed to search for a new school district superintendent. The committee plans several public meetings and wants community involvement in the search process.

Levy:

- Explained the selection process for the municipal court judge position. Noted the committee would be conducting interviews for the position on October 11 and 12. Coburn noted that he spoke with the Crested Butte and Mt. Crested Butte Marshal's departments regarding the municipal judge position. Council agreed that the subcommittee should come back to the council with one recommended candidate for the position.

9. **OTHER BUSINESS TO COME BEFORE COUNCIL**

Schmidt noted letter in the packet he drafted to the U.S. Forest Service supporting the efforts of the Crested Butte Land Trust to preserve the Floresta mine. Council directed Schmidt to sign and send the letter.

Council decided not to return to work session to discuss the 2006 Budget. Council agreed to schedule a budget work session on October 20 at 5:30 p.m.; to hold a work session on the budget at 6 p.m. on October 17, 2005 prior to the regular meeting; and reconfirmed a special meeting on October 24, 2005 at 6 p.m. for introduction of the budget with final reading of the budget planned for the November 21, 2005 meeting.

Alan Bernholtz and Jim Schmidt volunteered to serve on the service grant subcommittee to make recommendations regarding service grants for the 2006 budget.

10. **COUNCIL MEETING SCHEDULING**

Schmidt adjourned the meeting at 10:12 p.m. by unanimous consent.

James A. Schmidt, Mayor

Eileen Hughes, Town Clerk